Our Timid Scientists, P. 3

Cong. Walter's Drive to "Abolish" the Un-American Activities Committee, See Page 4

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Prospects and Paradoxes of the Coming Filibuster Fight

A minority of Southerners can exercise a vote in either House of Congress. In the Senate, it can block action through unlimited debate. In the House, on the other hand, it can operate by preventing debate altogether. In the Senate, it operates through threat of filibuster; in the House, through the pigeonhole. In the former, this minority insists on the right to go on talking forever. In the latter, it wields the power to shut off any talk at all. In the Senate, the minority operates by making cloture almost impossible; in the House, by making cloture so easy that a few key Southerners can gag the House almost at will. In the Senate, this minority exercises its power in the name of free debate; in the House, it restricts debate in the name of orderly procedure. Though the methods and principles are at variance, the purpose in both Houses is the same—to give the South a sectional veto. This veto has been defended since Calhoun's day as a means of protecting the Southern white minority against the Northern majority. The paradox is that the minority right the South so passionately defends is a right to exploit and humiliate its own Negro minority. This is the essence of the conflict which will explode in both Houses of Congress when it convenes Wednesday.

Behind These Obscure Technicalities

The liberals in the Senate will try to change the rules so that after eight weeks of debate a majority can impose cloture and force a vote on measures the Southerners do not like. The liberals in the House will try to change the rules so that important bills pigeonholed in the Rules Committee can be forced out on the floor for a vote. The Senate fight will center about its famous Rule XXII. The House fight will seek to restore the 21-day rule which briefly governed the 1949-50 session. Under this rule, bills already reported by a standing committee of the House can be called up for a vote by the chairman of the reporting committee if the measure has been bottled up more than 21 days in the Rules Committee. On the outcome of the opening battle over these obscure procedural technicalities will depend momentous issues: in the Senate, more effective Civil Rights legislation to fulfill the Negro's aspiration for first class citizenship; in the House, all kinds of social welfare measures to fulfill the hopes of voters who returned so many liberals to Congress. In the past, the House Rules Committee, under Howard Smith of Virginia (who gave his name to the Smith Act) has often been able to pigeonhole minimum wage, education, housing, labor-management and welfare as well as civil rights measures desired by a majority. If the liberals in the House lose this opening day fight, the stage is set for their frustration all through the session.

A Renewed South-West Alliance

The lineup in the two Houses will be somewhat different. The Senate fight turns on the civil rights issue. It is nakedly sectional. The growing political power of the Negro in the North forces the Republicans of the industrial States, East, Midwest and Pacific, wherever there are sizeable Negro and other racial minorities, to join forces with the liberals on this issue. Nixon ruled in favor of the civil rights coalition two years ago and will do so again; otherwise he has no hope of achieving the Presidency. The Republican leadership dare not openly stand with the Southerners. So in the Senate the Republicans will temporarily relinquish that coalition of Southern planter and Northern big business man which has generally held sway there since a filibuster in 1890 stopped a measure for Federal supervision of Congressional elections in the South—the so-called "Force Bill." The South called it that because it represented the last post-Reconstruction effort of the North to enforce Negro rights in the South. The filibuster against the Force Bill succeeded because the Southerners temporarily allied themselves with Western mine-interests anxious for subsidized Free Silver. Now again, the South will turn for allies to States between the Pacific Coast and the Mississippi Valley which have few Negroes and will bid for anti civil rights votes with the promise of Southern support on Western mining, public land and natural resource bills. This alliance was already visible last year in the whittling down of the Civil Rights Bill. On the other hand, in the House, where the race issue is in the background, the usual alliance of conservative Republican and conservative Democrat will hold the fort against the band of liberal Democratic insurgents led by Frank Thompson, Jr., of New Jersey.

The Outlook Is Not Promising

In the Senate, its future as a forum of free debate is not the issue. The form of majority cloture advocated by Douglas, Javits and others would allow ample debate. The real issue is not minority rights in the Senate but minority rights in the South. The Southerners defend oppression in the name of liberty. True, the filibuster they fight to retain has been used by liberals as well as conservatives. How one feels about it at this juncture will be determined by how deeply one feels about Negro rights. To this one must add that in the House one can see how the dominant Southern white supremacist uses his strategic powers against poor white as well as black. Unfortunately, writing a week before Congress opens, advance soundings offer little hope in the House and indicate only a limited, very limited, victory in the Senate. The country is not sufficiently aroused.

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Holiday Tidings from Outer Space: Ike as Our Da Vinci; Madison Ave. and the Milky Way

House Report Says Space Law Urgent to Prevent Accidental Outbreak of War

Christmas Day was supersonic. In Washington the morning paper, over a color photo of a modernistic Nativity, carried double banner headlines across page one, "Missile Fired By Supersonic Bomber May Alter Course of Arms Program. Launching Is Made at 1100 Mph. Air Force Jubilant." The afternoon paper brought news of a speech in Moscow by Gromyko, warning that any aggression against East Germany in the Berlin crisis could trigger off an atomic world war that would spread to the United States, "Death Toll of Millions Seen." We began to write a new Christmas hymn beginning, "Hark the Herald Missiles Sing."

Traffic is piling up overhead. A few days before Christmas mankind was treated to its first broadcast from outer space. But the voice from the new Atlas satellite was not a recording of Gandhi or Einstein, or a message from some world figure like Bertrand Russell or Schweitzer, which might have made the event more than a minor technological triumph. It was only a tape recording of a tepid little banality by a retired General named Eisenhower, who will be remembered as one of the lesser American Presidents. A Sunday paper survey of the new wonders proclaimed "Waning IGY Likely Charted New Renaissance." The symbol of the other Renaissance was that universal genius, Leonardo da Vinci. Perhaps a superannuated military man fumbling with the new thunderbolts is as fitting a symbol for ours.

Less Lonely for Poets

Free enterprise is being stimulated by our new access to the heavens. According to Andrew G. Haley, a Washington attorney who is president of the International Astronautical Federation, both Ford and Coca Cola are discussing the possibility of using satellites which could travel over U. S. territory "several times a day, continually broadcasting some kind of singing commercial." This will make the nights less lonely for poets. Next, we suppose, will be the outer space flying billboard. The Milky Way may yet become an extension of Madison Avenue. The prospects illustrate the dominance of mind over matter. Put a Babbitt in a space-craft and after a million mile spurt and a week-end on Mars he will emerge a little cracked perhaps but otherwise the same banal little man he was when he left. It seems we can't think of anything better to do with the universe than to use it to sell aspirin, "Heavenly for That Headache."

Outer space, like the high seas and the airways, will soon have to be regulated. The Select Committee on Astronautics and Space Exploration of the House of Representatives released a report three days before Christmas called "A Survey of Space Law." It suggests that man will be able to travel into outer space and return by 1962, and that various forms of traffic and other control will soon be necessary as space vehicles, manned and unmanned, multiply.

War by Miscalculation

The report warns that the danger of accidental war will otherwise increase. "It will take a careful look," the report quotes Dr. John P. Hagen, director of the Vanguard project as testifying, "to determine in a very short time whether the object you see coming is some old satellite, an ICBM coming from across the water, or a stray meteor coming into the earth. . . . Filling the air with a great many dead satellite bodies is simply going to make that task extremely difficult."

Some system whereby all nations will be required to file international flight plans will soon be a necessity. "Without them," the report says, "the technically advanced nations could some day obliterate themselves — not for any real cause, but purely through accident—by throwing the automatic war switch in the mistaken belief that an attack is being made." The division of the earth into nation-States will soon reach a new danger level of obsolescence.

The House report suggests that the early development of space law "could be a powerful, positive force for peace" and quotes one scholar as saying that "outer space opens up a new area for finding accommodations which, if properly exploited, could at last reverse the trend" which has been pushing the world through cold war and unlimited arms race toward a precipice.

U.S. Insists on A Built-In Majority at the UN

Unfortunately neither here in Washington nor at the United Nations is there much evidence to support optimism. The UN held its first full dress debate on outer space from November 12 to 20. The U. S. put in a resolution for a committee to explore the problem of assuring the use of space for peaceful purposes. The U. S. S. R. put in a resolution for (1) a ban on the use of the space for military purposes, (2) the elimination of foreign military bases and (3) international cooperation in the study of space.

To meet U. S. objections, the Soviet Union then revised its resolution to omit the first two points but insisted on a committee of four Communist, four Western and three neutralist nations, the kind of a committee in which Western majorities would not be a foregone conclusion but Moscow might win some of the arguments. Instead of meeting the Soviets half-way with concessions of our own, we insisted on an 18-nation committee, containing 12 Western, three Communist and three neutralist powers. Moscow angrily declared it would boycott this committee, which would have a built-in pro-U.S. majority. We may yet regret our success.

Here in Washington, Lyndon Johnson, least imaginative of party leaders, who took part at the UN in that space maneuver, has just appointed a retired Army colonel, Kenneth BeLieu, as staff director of the Senate's new Committee on Aeronautical and Space Science. Colonel BeLieu is one of those men the military bureaucracy uses to steer supposedly civilian officials and agencies; he served as assistant to two former Secretaries of the Army, Pace and Stevens, and has more recently been a professional staff member of the Senate Armed Services Committee. His new appointment gives the Pentagon point of view a key position in Senate space councils.

Washington Post Calls Launching of Atlas A Misleading Publicity Stunt

In an editorial Dec. 20, the Washington Post pointed out that the 4¼ ton figure for Atlas was achieved only by designing the rocket to stay in orbit with the nose cone and said that had the Russians done the same with Sputnik III, it would have weighed 5½ tons. On December 21, it criticized the secrecy which surrounded the launching. On December 23, in an editorial "Candor Didn't Orbit," the paper said, "The more that is learned of the new Atlas satellite, the less impressive are the extravagant boasts that attended its launching. . . . It is now pretty clear, however, that the project was principally a publicity stunt. . . . The last Soviet Sputnik had instrumentation of greater weight than the Atlas carried and the rocket used to propel it had considerably more thrust." A Soviet scientist in a UPI story from Moscow published by the paper Dec. 21 said the payload of Atlas was 133 pounds compared with 184 pounds for Sputnik I and 2,919 pounds for Sputnik III. Most papers and newsreels, however, maintained misleading impressions.

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AAAS Resolutions Show Our Free World Savants As Nervous About Big Brother As Moscow's

Scientists Outspoken on Spiders' Knees But Queasy on Nuclear Testing

Viewed from any of those new seeing-eye satellites, American scientists must seem as nervous as their Soviet counterparts about saying anything which might get them in wrong with their government, whence fellowships, grants and *dachas* flow. As we go to press, Washington has been inundated with a horde of scientists, fanned out in giant convention through five huge hotels, and not easily distinguishable from Rotarians. The awed local press has been devoting whole pages to Science. "Ancient Man's Use of Hands Viewed As Cause of Shrinkage in Human Jaw", "Spiders' Hearing Traced to Knees" and "Psychologist Reveals Fish Smarter Than You Think" are sample tid-bits from this Feast of Learning to which the public was invited.

Dodge on Loyalty Oath

But when the governing Council of the various professional groups which make up the American Association for the Advancement of Science took up the political questions on which science impinges, it went into session behind closed doors and came out with a few meagre resolutions vague enough to be submitted to the platform committee of the next Republican convention. The Council "notes with gratification that changes in U. S. passport regulations have improved international communication in science" but is silent on the State Department's campaign for restrictive legislation to undo these good effects of a Supreme Court decision. The Council "welcome the National Defense Education Act of 1958" but did not muster the nerve to join in Secretary Flemming's recommendation that its loyalty oath be repealed.

The most important resolution, on nuclear weapons tests, was well watered down, as could be seen in the press room by comparing the first proposal with the final version. The earlier phrase about attempts to negotiate "an international system to *prevent* the further explosion of such weapons" was changed to "suspend." The earlier version had the Council expressing its "profound hope that the Geneva Conference negotiations will prove successful *in effectively ending test explosions of nuclear weapons, and that this international agreement will be the first step toward the prevention of catastrophe.*" The phrases in italics were omitted from the final version. This queasy caution does not augur well for the new standing committees on the Social Aspects of Science the Council approved to help the public understand "the inescapable problems of adapting society to the age of science." Since our scientists never had it so good working on new ways to help humanity blow its brains out, they should not be allowed to salve their consciences so easily. Plain words are called for.

Downgrading Disarmament?

Striking omissions may be found in the recent exchange of letters between the President and Senator Green (D. R. I.) chairman of the Senate Foreign Relations Committee. Senator Green sent the White House a proposed outline for a series of four executive session hearings to bring the Committee fully abreast of all developments in foreign policy, an idea the President approved. The proposed outline is broken down by Senator Green into 13 subheadings. Not one of them refers to disarmament, to the current negotiations on testing and surprise attack, nor to proposals such as disengagement for finding an over-all solution to the Berlin impasse. There is no reference to relations with Communist China. No category or sub-head covers discussion of proposals for unfreezing our rigid cold war diplomacy. The outline is as non-specific and sterile, i.e. free from controversial bacilli, as if prepared by the State Department, and invites one of those briefings from Mr. Dulles of which Senators have often complained; the Secretary is an adept at giving the Foreign Relations Committee inside information on the Ten Commandments.

Useful Contrasting Background Against Which to Read the Forthcoming NATO Note on Berlin

George Kennan Argues For Disengagement and Against Nuclear Arms for Germany

"It is said that Moscow can never permit the peoples of this area [East Europe] to abandon the 'achievements of socialism'. To this one can only reply by asking whether it is necessary for the question to be put that way. If the experiences of recent years have proved anything in the realm of economic and political theory, it is that ownership of the means of production is a far less important question than the Marxists have considered it to be, and represents a feature of national economy in which the differences between 'socialism' and 'capitalism' are of steadily diminishing significance. It would not really be so drastic a transition today from the institutions of contemporary Poland to those of the more extreme examples of the Western welfare state. The West can afford to be relatively relaxed about the name by which the social and economic institutions of the East European peoples are described. What is immediately important is that development of national life there should not be impeded by abnormal military strictures, that the very real dangers of the Berlin situation be in some way removed, and that some progress should become possible in the creation of the prerequisites of a true European community. That these prospects would be improved if at least the military deadlock in Central Europe could be loosened seems obvious. . . .

"There is no conceivable agreement with the Soviet Union . . . which would not involve concessions in the military field and the acceptance of new risks disagreeable and shocking to Western military planners. The ideal military posture is simply the enemy of every political detente or compromise; and whoever is not prepared to make sacrifices and accept risks in the military field should not lay claim to any serious desire to see world problems settled by any means short of war. . . . It is primarily in the matter of missile sites, if anywhere, that the real military sacrifice involved in a possible disengagement must, from the NATO standpoint, be seen. But is this really so grievous a sacrifice? Western Germany is not the only place where such missiles can be stationed or from which they can be launched. . . .

"Confronted with such a force [a German army dependent on nuclear weapons] on the Western side of the Elbe, the Soviet Government . . . will see no choice but to keep its own forces, themselves armed with atomic weapons, in substantially the positions they occupy today. The atomic armament of Western Germany is in fact the enemy of any real progress in the matter of unification. The Western chanceries could not have been oblivious to this fact when they refused even to consider the Rapacki proposals for an atom-free zone in the centre of the continent, and when they took the decision to introduce atomic weapons into the NATO defenses on German soil."

—*George F. Kennan, Foreign Affairs, Jan. 1959.*

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Opening Day of Congress May See A Strange Maneuver in "Operation Abolition"

Walter's Drive for Enlarged and Renamed Un-American Activities Committee

Unless much more opposition develops than was visible a week before Congress opened, the chances are good that Congressman Walter will succeed in "abolishing" the Un-American Activities Committee and replacing it with an enlarged and renamed witch-hunting body, which may take jurisdiction from House Judiciary not only over immigration but over such "internal security" questions as wire-tapping and passport control.

The right wing Pennsylvania Democrat, one of the most powerful members of the House, can move to amend the rules on opening day, or he can introduce a resolution later to amend the Legislative Reorganization Act to set up the new committee. The former is more likely.

Give the Dog A Better Name

The new Committee would probably be called the House Internal Security Committee. A change of name would be useful in throwing off the growing campaign, especially in California, for abolition of the Un-American Activities Committee altogether. The name has become a liability. A new resolution, substituting the equally vague term "internal security" for "un-American" as the Committee's witch-hunting standard, might help circumvent past Court decisions (like *Watkins*) which objected that "un-American" was so vague a standard it could be applied to any unpopular man or idea.*

The fate of the Walter maneuver rests with one man, Speaker Rayburn. If he decides in favor of it, a motion to amend the rules will be entertained opening day and approved by a voice vote to save members from the embarrassment of having to be recorded publicly for or against. To judge from the conflicting reports at press time, Rayburn had not yet made up his mind. It seemed that the Speaker had thrown gloom into the camp of those opposed by dismissing the objection that it would be an insult to immigrants and children of immigrants to lump immigration matters with "un-Americanism" and "subversion." The Speaker suggested that this could be handled by changing the name of the Committee.

On the other hand, the Speaker seems to have created some gloom in the Walter camp by suggesting that the House needed more, not fewer, committees so he could have available a greater variety of important assignments for the new bumper crop of Democrats. There has been talk of taking immigration and naturalization from House Judiciary and establishing them in a new Committee.

Some Other Possibilities

Chairman Celler of House Judiciary is willing to relinquish immigration and naturalization but not to Walter. The two men are old antagonists. Celler, a senior Democrat from Brooklyn, one of the few surviving liberals in the House, a tireless battler against hopeless odds, is an enemy of the Nordic-myth "national origins" provisions which U. S. forerunners of Nazi-style racial ideologists wrote into the Immigration Law in the early 20's to discriminate against "lesser breeds"—Slavs, Latins and Jews. Walter, author of a famous "dear Dago" letter, tends to lump the foreign born and radicals together as prima facie suspect. Big city Democrats sensitive to pressure from foreign born citizens have been bringing pressure against Walter, principally through Majority Leader McCormack. The outcome in a sense will be a test of strength as between Walter and McCormack.

Much less opposition is visible on the other aspect of the change, continuation under a new name of Un-American Activities. The *Washington Post* (Dec. 19) spoke out strongly, saying the committee "should be abolished, not reorganized and expanded." Congressman James Roosevelt promised his California constituents to introduce an abolition resolution. In the meantime, also awaiting action by the Speaker, are contempt actions voted by House Un-American against Harvey O'Connor and Donald Wheeldin, the first subpeonaed witnesses in its history who simply refused to appear.

*Latest witch hunt defeat in the Supreme Court, the unanimous reversal in the Abram Flaxer appeal Dec. 15, involved the Senate Internal Security Committee but rested on the technicality of an improperly dated indictment. Flaxer in 1951 courageously refused to hand over the membership list of the United Public Workers Union he headed. The failure of the labor movement to support his appeal demonstrated its indifference even to civil liberties questions which threaten trade union rights.

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